

IN RE: PETITION FOR ADMIN. VARIANCE  
SW/Corner Washington Avenue and  
Lynnhaven Drive  
(3511 Washington Avenue)  
2nd Election District  
2nd Councilmanic District  
  
Thomas E. Prioleau, Jr.  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-108-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 3511 Washington Avenue, located in the vicinity of Liberty Road in Randallstown. The Petition was filed by the owner of the property, Thomas E. Prioleau, Jr. The Petitioner seeks relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5-foot high fence with a 0 foot setback in lieu of the required setback of 20 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance

ORDER RECEIVED FOR FILING

Date

By

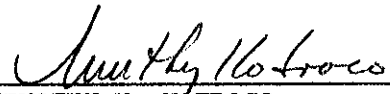
MICROFILMED

with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5<sup>th</sup> day of October, 1996 that the Petition for Administrative Variance seeking relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5-foot high fence with a 0 foot setback in lieu of the required setback of 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
10/5/96  
[Signature]  
Date

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Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

October 5, 1996

Mr. Thomas E. Prioleau, Jr.  
3511 Washington Avenue  
Baltimore, Maryland 21244

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SW/Corner Washington Avenue and Lynnhaven Drive  
(3511 Washington Avenue)  
2nd Election District - 2nd Councilmanic District  
Thomas E. Prioleau, Jr. - Petitioner  
Case No. 97-108-A

Dear Mr. Prioleau:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ File

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# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 3511 Washington Avenue  
which is presently zoned DR-55

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 424.1.B to

allow a 5' fence a 0' setback in lieu of the  
Required 20'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Legal Owner(s):

Thomas E. Prioleau Jr.  
(Type or Print Name)

Thomas E. Prioleau Jr.  
Signature

Thomas E. Prioleau Jr.  
(Type or Print Name)

Thomas E. Prioleau Jr.  
Signature

3511 Washington Ave <sup>410</sup>  
Address Phone No 922-0652

BALTO. MD 21244  
City State Zipcode

Name, Address and phone number of representative to be contacted

Audie Prioleau  
Name <sup>410</sup>  
3511 Washington Ave 922-0652  
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

**MICROFILMED**

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM

DATE: 6 Sept 90

ESTIMATED POSTING DATE: 15 Sept 90

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 108

ORDER RECEIVED FOR FILING

Date

By

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3511 Washington Ave  
address  
Baltimore, MD 21244  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address; (indicate hardship or practical difficulty)

*My wife wishes to have the fence closer to the property line so that her play area for the children would have a larger comfortable play area. I'm asking you to take this into consideration*

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

*Thomas E. Prioleau Jr*  
(signature)  
Thomas E. Prioleau Jr  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of SEPT, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas Edward Prioleau Sr

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/5/96  
date

NOTARY PUBLIC

My Commission Expires: 11/18/97

# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 3511 Washington Ave  
(address)

Beginning at a point on the South East side of  
(north, south, east or west)  
Washington Ave which is 60 ft wide  
(name of street on which property fronts) (number of feet of right-of-way width)  
wide at the distance of 25 ft South West of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street Lynn Haven  
(name of street)  
which is 50 ft wide wide. \*Being Lot # 48,  
(number of feet of right-of-way width)  
Block Section 3, Section # 3 in the subdivision of Lynn Acres/20/133  
(name of subdivision)  
as recorded in Baltimore County Plat Book # 20, Folio # 133,  
containing 6489 s.f. Also known as 3511 Washington Ave  
(square feet or acres) (property address)  
and located in the 2 Election District, 2 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

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**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

District 2

Date of Posting 9-13-96

Posted for: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location of property 3511 Washington Ave.

Location of Sign Front Yard

Remarks: \_\_\_\_\_

Posted by M. Guire

Signature

Date of return: \_\_\_\_\_

Number of Signs: \_\_\_\_\_

CASE NUMBER: 97-100-A (Item 108)

3511 Washington Avenue  
SWC Washington Avenue and Lynnhaven Drive  
2nd Election District - 2nd Councilmanic  
legal Owner(s): Thomas E. Prioleau, Jr.

Administrative Variance to allow a 5 foot fence a 0 foot setback in  
lieu of the required 20 feet.

## No. 024363

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

MISCELLANEOUS CASH RECEIPT

0519-00-6150

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Item 108 AMOUNT \$ 85.00

**AMOUNT** \$

James Peileau

$$+ \frac{2}{\alpha} \ln$$

Thames

[illegible]

DATE OF RECEIPT: 06-06-2019  
SIGNATURE OF CASHIER

**VALIDATION OR SIGNATURE OF CASHIER**

DATE	LOCATION	TAXPAYER AGENCY	YELLOW - CUSTOMER	VALIDATION

**PINK - AGENCY**

**YELLOW - CUSTOMER**

5



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 1086 Petitioner: Thomas E Prioleau

Location: 3511 Washington Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: \_\_\_\_\_

ADDRESS: See Above

PHONE NUMBER: 922-0652



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3511 Washington Ave

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Lynn Acres

plat book # 20, folio # 133, lot # 48, section # 3

OWNER: Thomas E. Pridleau Jr.



North

date: \_\_\_\_\_  
prepared by: \_\_\_\_\_

Scale of Drawing: 1" = \_\_\_\_\_



Vicinity Map  
North  
scale: 1"=1000'

LOCATION INFORMATION

Election District:

Councilmanic District:

1"=200' scale map#:

Zoning:

Lot size:

acreage

square feet

6489 sq. ft.

SEWER: ☒ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-108-A (Item 108)  
3511 Washington Avenue  
SWC Washington Avenue and Lynnhaven Drive  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Thomas E. Prioleau, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 15, 1996. The closing date (September 30, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Thomas and Sadi Prioleau

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 23, 1996

Mr. Thomas E. Prioleau, Jr.  
3511 Washington Avenue  
Baltimore, MD 21244

RE: Item No.: 108  
Case No.: 97-108-A  
Petitioner: Thomas Prioleau, Jr.

Dear Mr. Prioleau:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

9-18-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 108 (CAM)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

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My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 104, 105, 106, 107, 108 & 109.

*Michael J. [illegible]*

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY PERSONNEL  
RULES AND REGULATIONS

RULE 12 SUSPENSIONS

REGULATION 12.01

An employee with Merit System status shall be subject to immediate disciplinary suspension for cause without pay by the appointing authority for a period not to exceed thirty (30) calendar days in any one calendar year; provided, that a copy of the suspension notice given to the employee shall be forwarded promptly to the Director of Personnel.

REGULATION 12.02

Employees under suspension not to exceed thirty (30) days shall have the right of appeal to the Personnel and Salary Advisory Board under Regulation 2.03 in accordance with applicable grievance procedures.  
(Bill No. 17, 1990)

REGULATION 12.03

An employee with Merit System status shall be suspended for an indefinite period in cases where such employee is charged with and awaiting trial for a criminal offense such as to bring the County Classified Service into disrepute. In such case, the appointing authority may take such other disciplinary actions which he may deem necessary under the circumstances. After the criminal charge has been finally determined, the appointing authority shall then make a determination as to whether the employee should be reinstated with all pay and privileges restored, or a disciplinary penalty imposed, or charges filed against such employee.

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:        Arnold Jablon, Director  
            Permits and Development  
            Management

DATE:    September 19, 1996

FROM:     Pat Keller, Director  
            Planning Office

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 104, 105, 106, 107, and 108

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL

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BALTIMORE COUNTY PERSONNEL  
RULES AND REGULATIONS

RULE 22 SICK LEAVE

REGULATION 22.01

- A. Sick leave is provided for absences caused by actual non-work related illnesses or injuries, necessary medical, dental, or optical appointments or treatments, or confinement due to quarantine as determined by an authorized medical authority. Absences are to be used for the employee's illnesses, injuries, appointments, or quarantines only. Except that sick leave may be used pursuant to Regulations 24.06 and 24.07, under the Rule "Other Leaves", in these Rules and Regulations.
- B. Absences for work-related illnesses or injuries shall be governed by Regulation 24.03 under the rule, Other Leaves, in these Rules and Regulations.

REGULATION 22.02

All County employees in the Classified Service will earn sick leave. "40 Hours" employees shall earn at the rate of 120 hours per year; "other than 40 Hours" employees shall earn at the rate of 105 hours per year. There shall be no limit on the number of sick leave hours that may be accrued.

REGULATION 22.03

In order to be eligible to receive sick pay, an employee or his representative must notify his supervisor of his absence due to illness or injury as early as possible on the first day of his disability. The Director of Personnel may require that a statement be obtained from a licensed physician as to the nature of the disability.

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 9/18/96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: Sept. 16

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

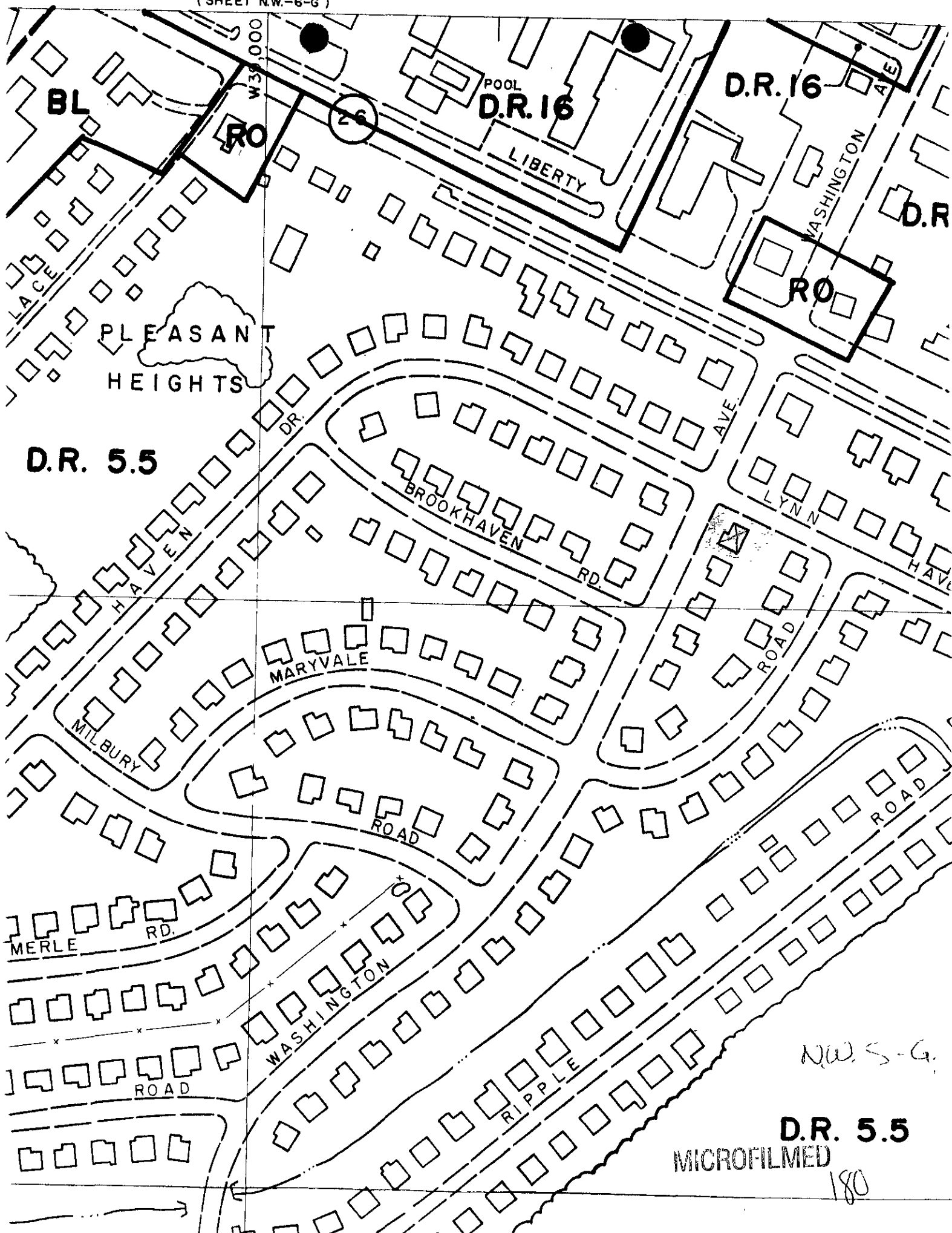
Item #'s:

105  
106  
108

RBS:sp

BRUCE2/DEPRM/TXTSBP

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**D.R. 5.5**

POOL  
**D.R. 16**

**D.R. 16**

**D.R.**

**RO**

PLEASANT  
HEIGHTS

BROOKHAVEN  
RD.

MARYVALE  
ROAD

LYNN  
ROAD

MILBURY  
RD.

MERLE  
RD.

WASHINGTON  
ROAD

RIPPLE  
ROAD

N.W. 5-G

**D.R. 5.5**

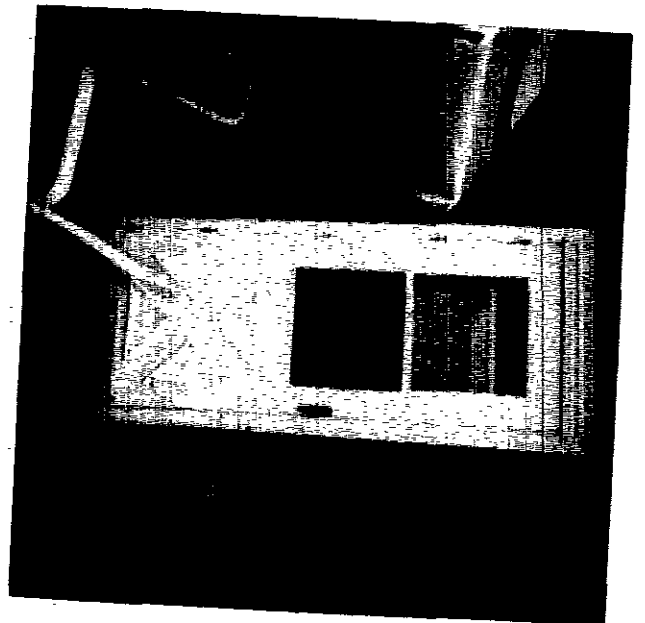
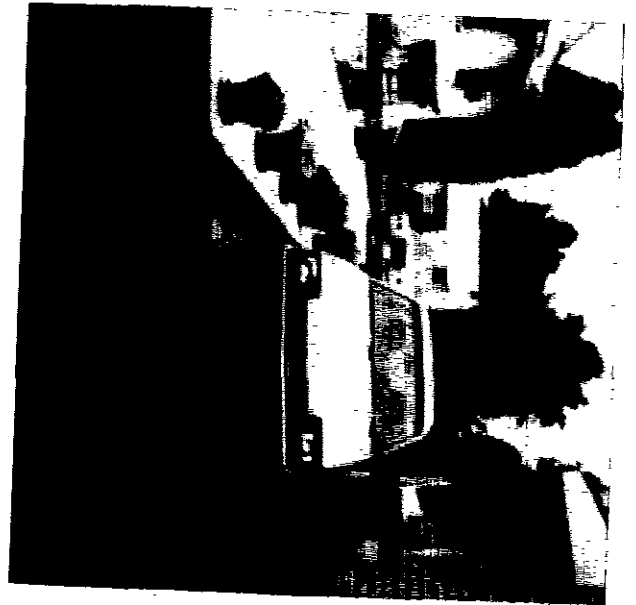
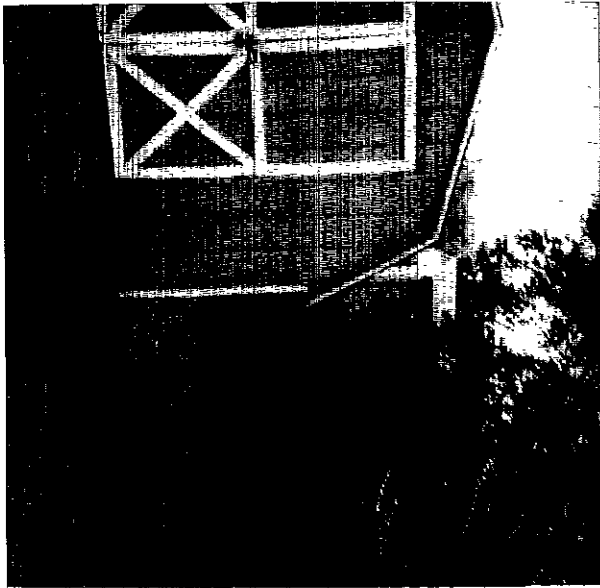
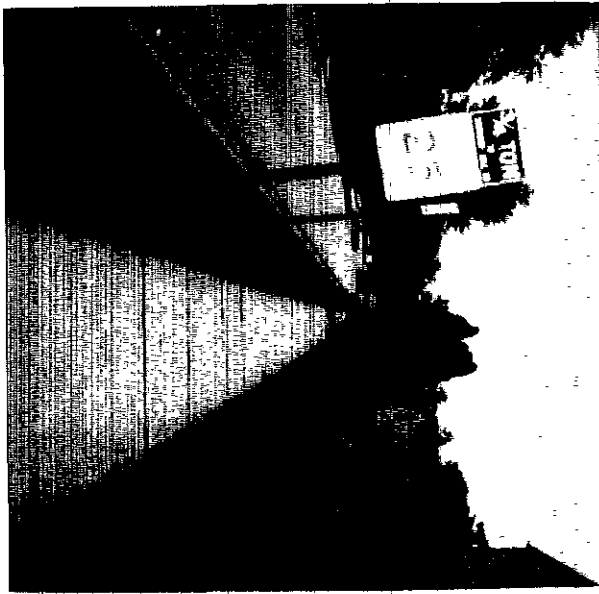
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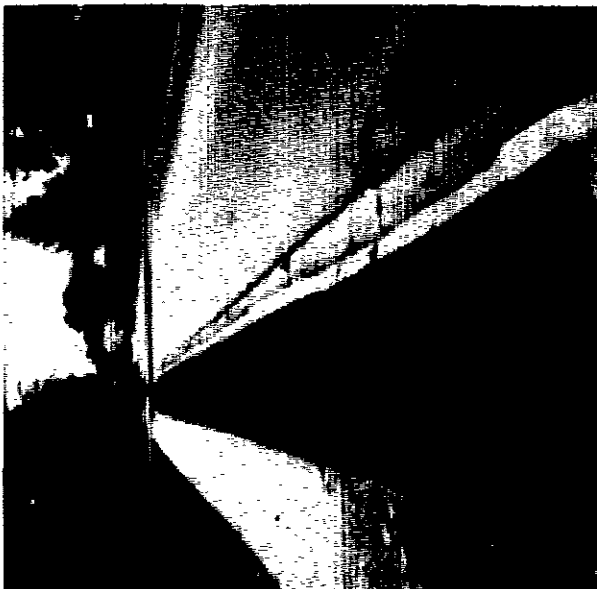
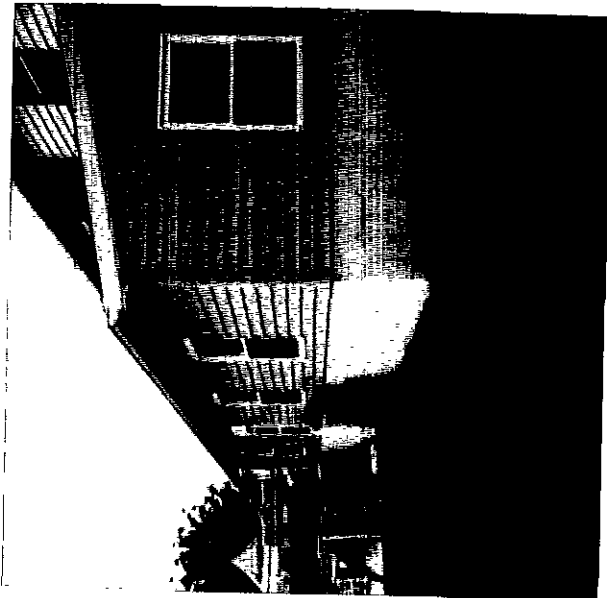
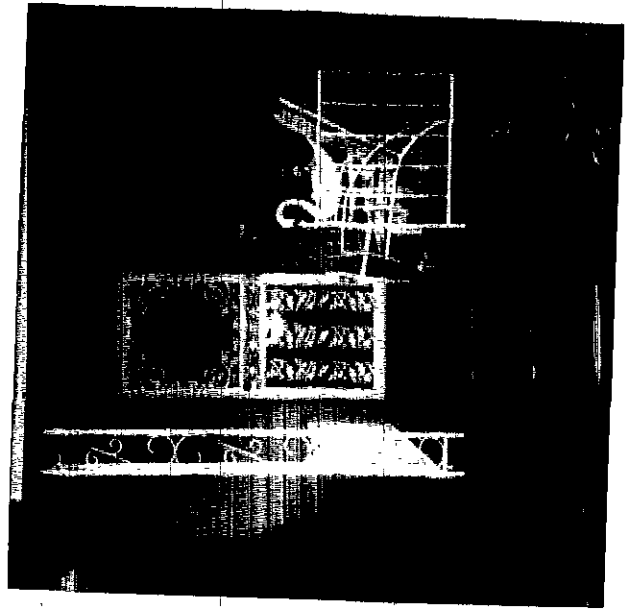
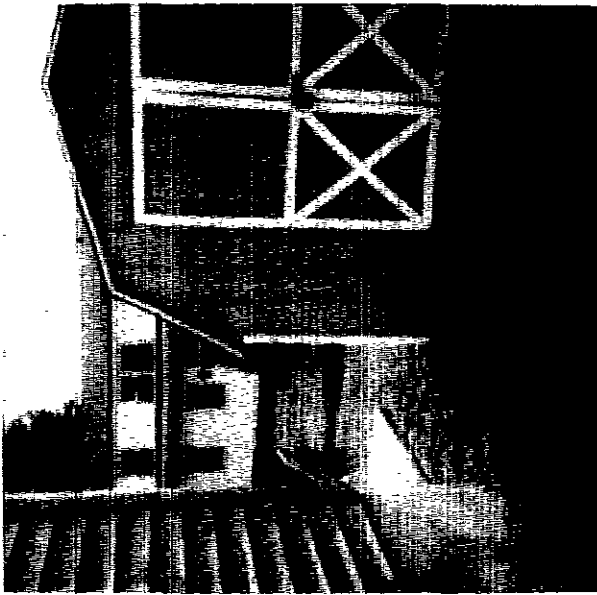
180

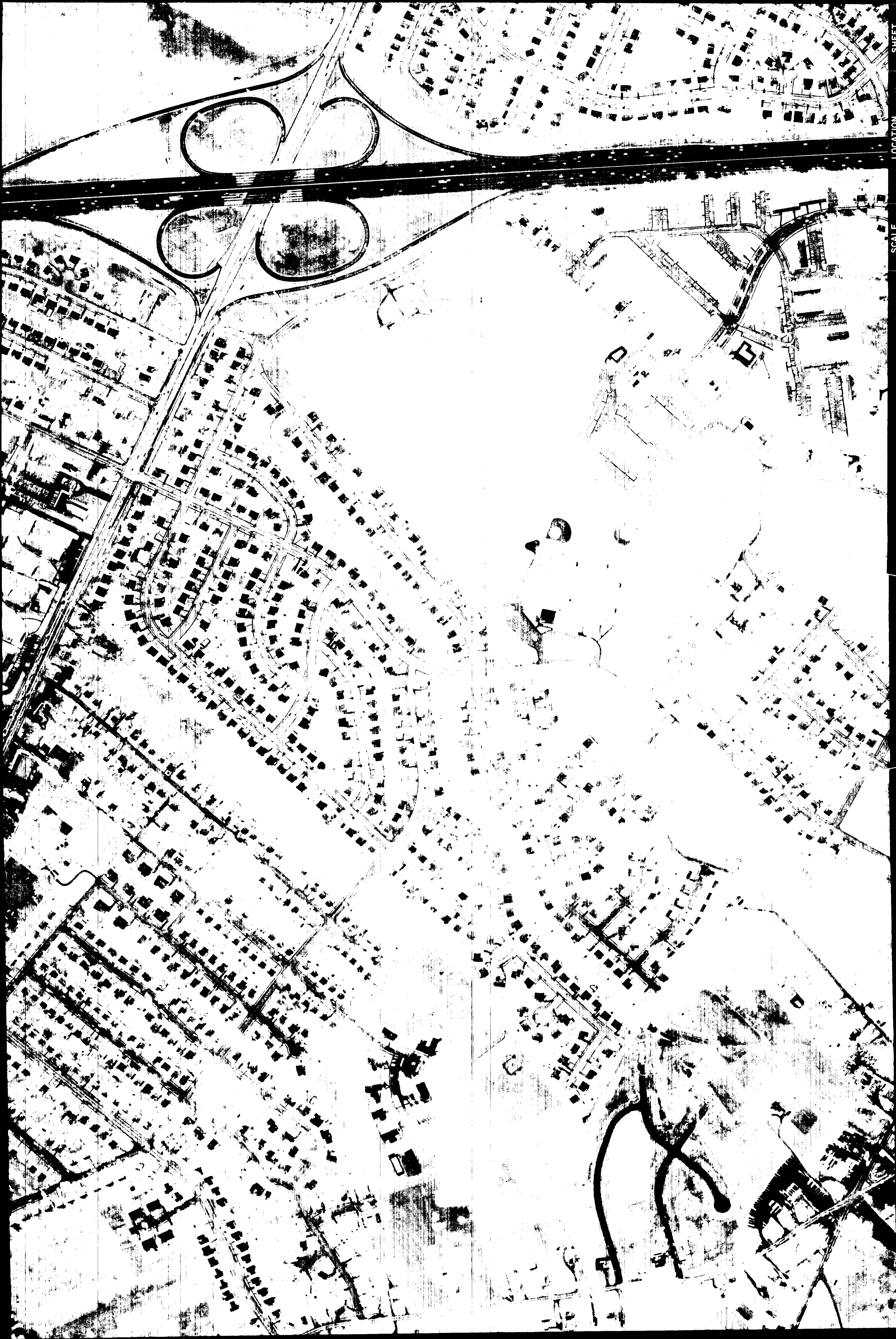
photographs

Case 97-108-A

MICROFILMED







BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
HEBBVILLE  
ROCKDALE  
WOODMOOR

SHEET  
MICROFILMED  
N.W.  
5-G

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

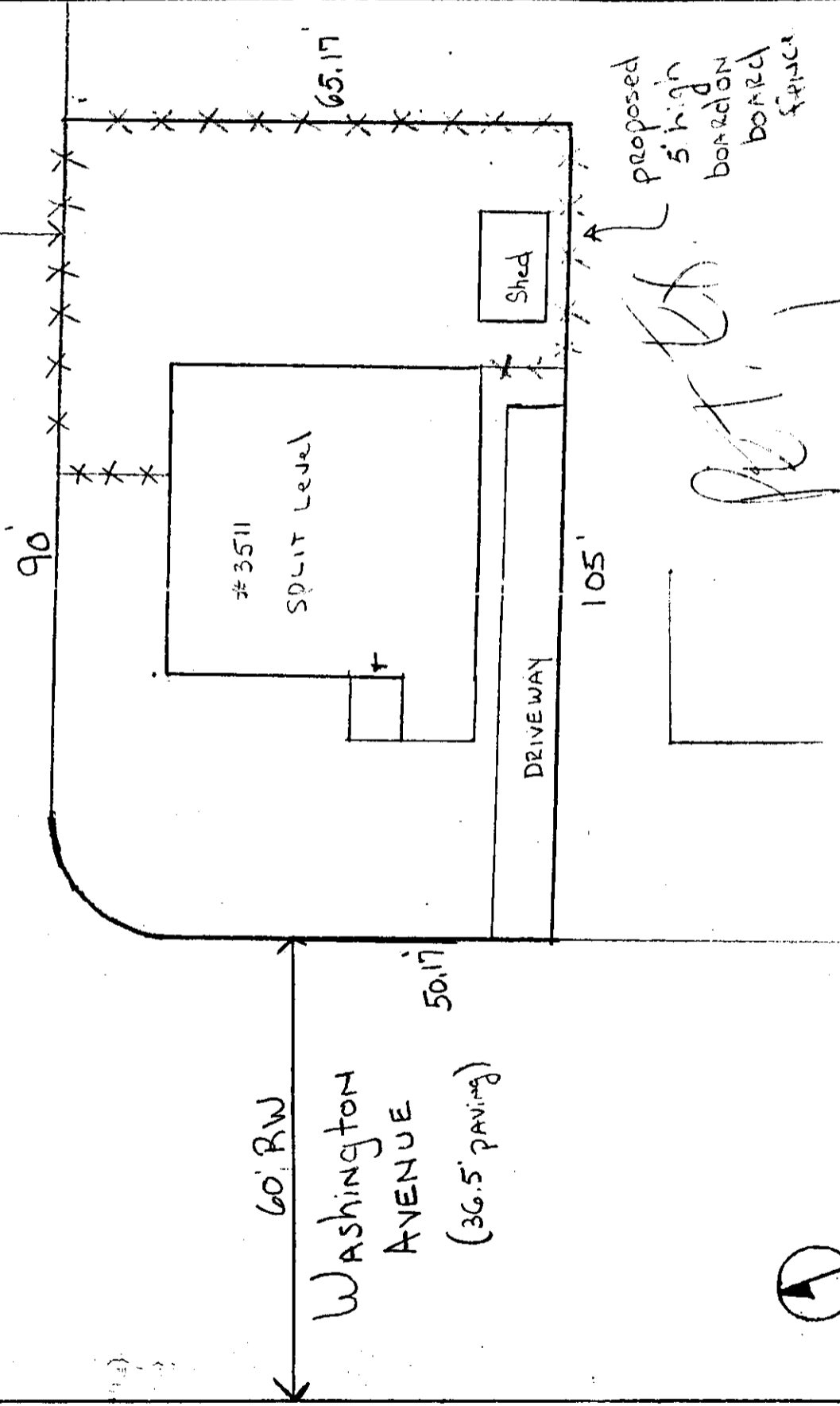
PROPERTY ADDRESS: 3511 Washington Ave see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LYNN ACRES - 9  
plat book # 20, folio # 133, lot # 48, section # 3

OWNER: Thomas E Peioleau

LYNN HAVEN

50' RW  
(30' paving)



North

date: CAW (based on info provided by owner) Scale of Drawing: 1" = 20'

reviewed by: CAW ITEM #: CASE #:

Zoning Office USE ONLY!

LOCATION INFORMATION

Election District: 2

Councilmanic District: 2

1"=200' scale map#: NW5.6

Zoning: DS.5

Lot size: 14 acreage 6489.00 square feet



Vicinity Map  
scale: 1"=1000'

Chesapeake Bay Critical Area:  
prior Zoning Hearings:  
SEWER: ☒ public ☐ private  
WATER: ☒ yes ☐ no

Not in Flood Plain / Not in Flood Hazard Zone



IN RE: PETITION FOR ADMIN. VARIANCE \* BEFORE THE  
SW/Corner Washington Avenue and \* DEPUTY ZONING COMMISSIONER  
Lynnhaven Drive (3511 Washington Avenue)  
2nd Election District \* OF BALTIMORE COUNTY  
2nd Councilmanic District \* Case No. 97-108-A  
Thomas E. Prioleau, Jr. \*  
Petitioner \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 3511 Washington Avenue, located in the vicinity of Liberty Road in Randallstown. The Petition was filed by the owner of the property, Thomas E. Prioleau, Jr. The Petitioner seeks relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5-foot high fence with a 0 foot setback in lieu of the required setback of 20 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance

with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5<sup>th</sup> day of October, 1996 that the Petition for Administrative Variance seeking relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5-foot high fence with a 0 foot setback in lieu of the required setback of 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Ketrock*  
TIMOTHY M. KETROCK  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

October 5, 1996

Mr. Thomas E. Prioleau, Jr.  
3511 Washington Avenue  
Baltimore, Maryland 21244

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
SW/Corner Washington Avenue and Lynnhaven Drive  
(3511 Washington Avenue)  
2nd Election District - 2nd Councilmanic District  
Thomas E. Prioleau, Jr. - Petitioner  
Case No. 97-108-A

Dear Mr. Prioleau:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

*Timothy M. Ketrock*  
TIMOTHY M. KETROCK  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File



## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 3511 Washington Avenue  
which is presently zoned DR-55

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 424.1.B to allow a 5' fence a 0 setback in lieu of the

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)  
See Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When so submitted, declare and affirm, under the penalties of perjury, that true and the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
Name: Thomas E. Prioleau Jr.  
Signature: Thomas E. Prioleau Jr.  
Address: 3511 Washington Ave  
City: Baltimore State: MD Zip: 21244

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 13, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-108-A (Item 108)  
3511 Washington Avenue  
SAC Washington Avenue and Lynnhaven Drive  
2nd Election District - 2nd Councilmanic  
Legal Owner(s): Thomas E. Prioleau, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 15, 1996. The closing date (September 30, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Carl Jablon*

Arnold Jablon  
Director

cc: Thomas and Sall Prioleau



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 23, 1996

Mr. Thomas E. Prioleau, Jr.  
3511 Washington Avenue  
Baltimore, MD 21244

RE: Item No.: 108  
Case No.: 97-108-A  
Petitioner: Thomas Prioleau, Jr.

Dear Mr. Prioleau:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

9-18-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 108 (LHM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4830

DATE: 09/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 104, 105, 106, 107, 108 & 109.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4801, MS-1102F

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management  
DATE: September 19, 1996

FROM: Pat Keller, Director  
Planning Office

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):  
Item Nos. 104, 105, 106, 107, and 108

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3493.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Gary L. Kline*

PK/JL

ITEM104/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM  
DATE: 9/13/96

SUBJECT: Zoning Advisory Committee  
Meeting Date: *Sept 14*

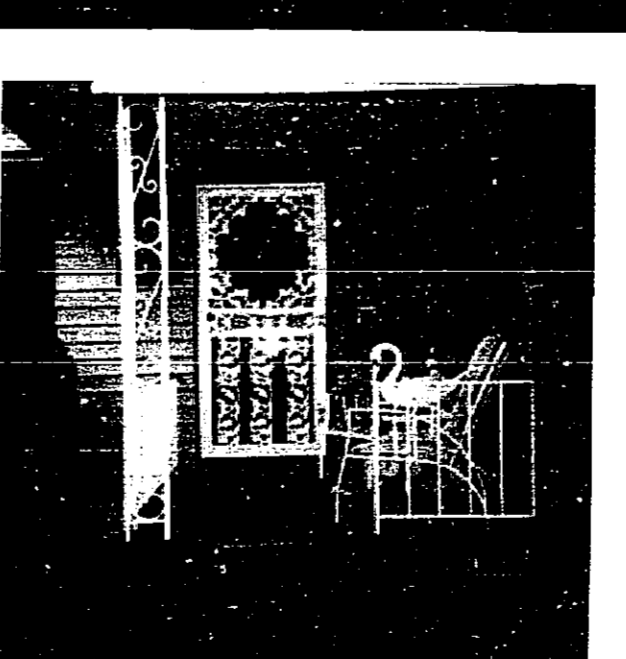
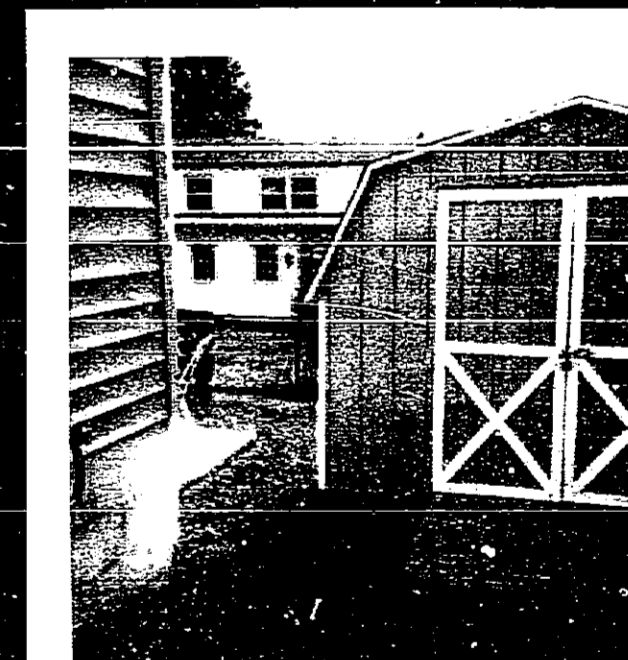
The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

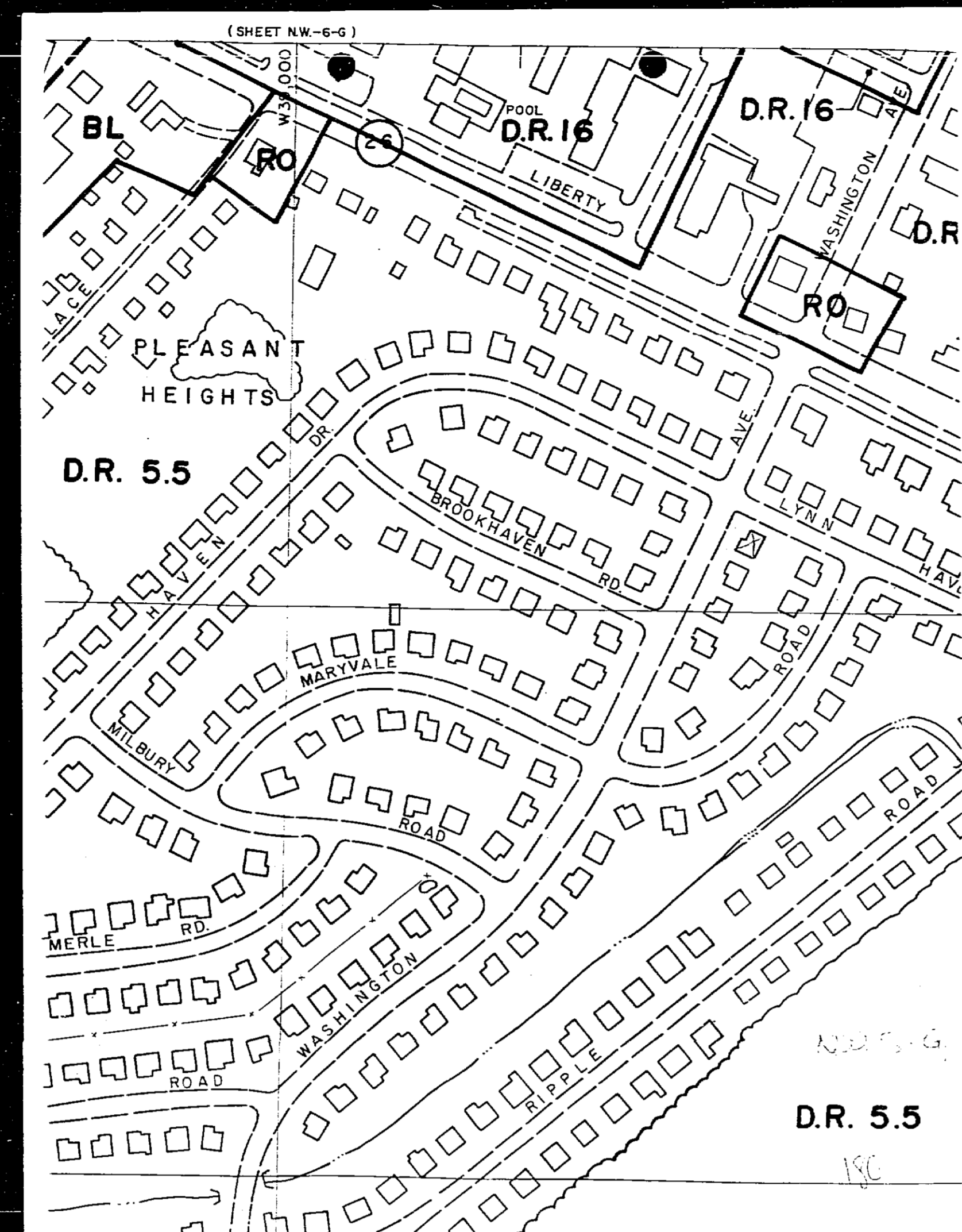
Item #'s:

105  
106  
108

RBS:sp  
BRUCE2/DEPRM/TXTSP

*photographs*  
*Case 97-108-A*





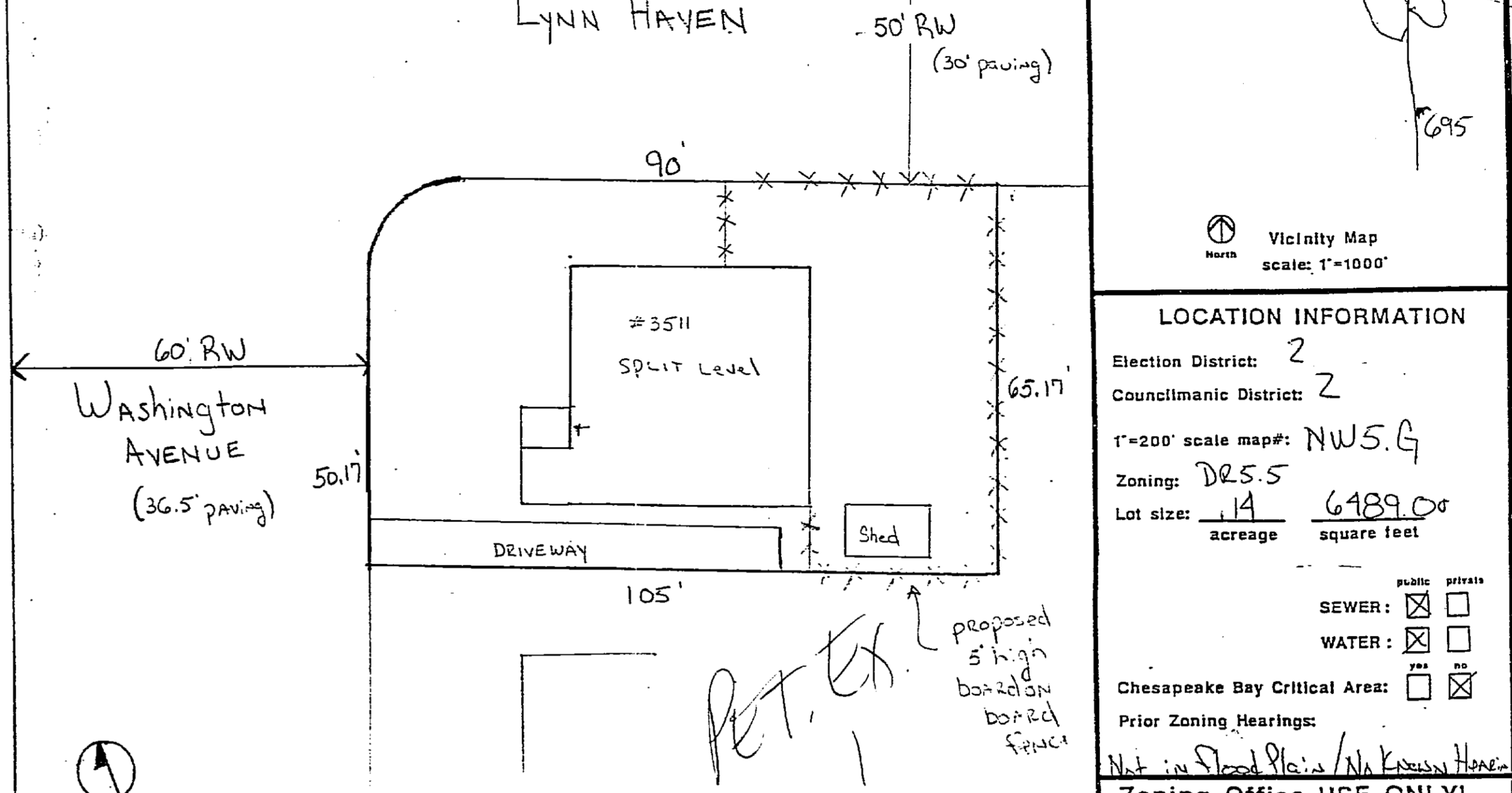
# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3511 Washington Ave see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Lynn Acres

plat book # 20, folio # 133, lot # 48, section # 3

OWNER: Thomas E. Paineau



North  
date: \_\_\_\_\_  
prepared by: CAM (Seal on file)  
Scale of Drawing: 1" = 20'

## LOCATION INFORMATION

Election District: 2

Councilmanic District: 2

1"=200' scale map: NW5.G

Zoning: D.R. 5.5

Lot size: 14 6489.00

acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: ☐ ☒

Not in Flood Plain / No Known Home

Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_

CAM

108

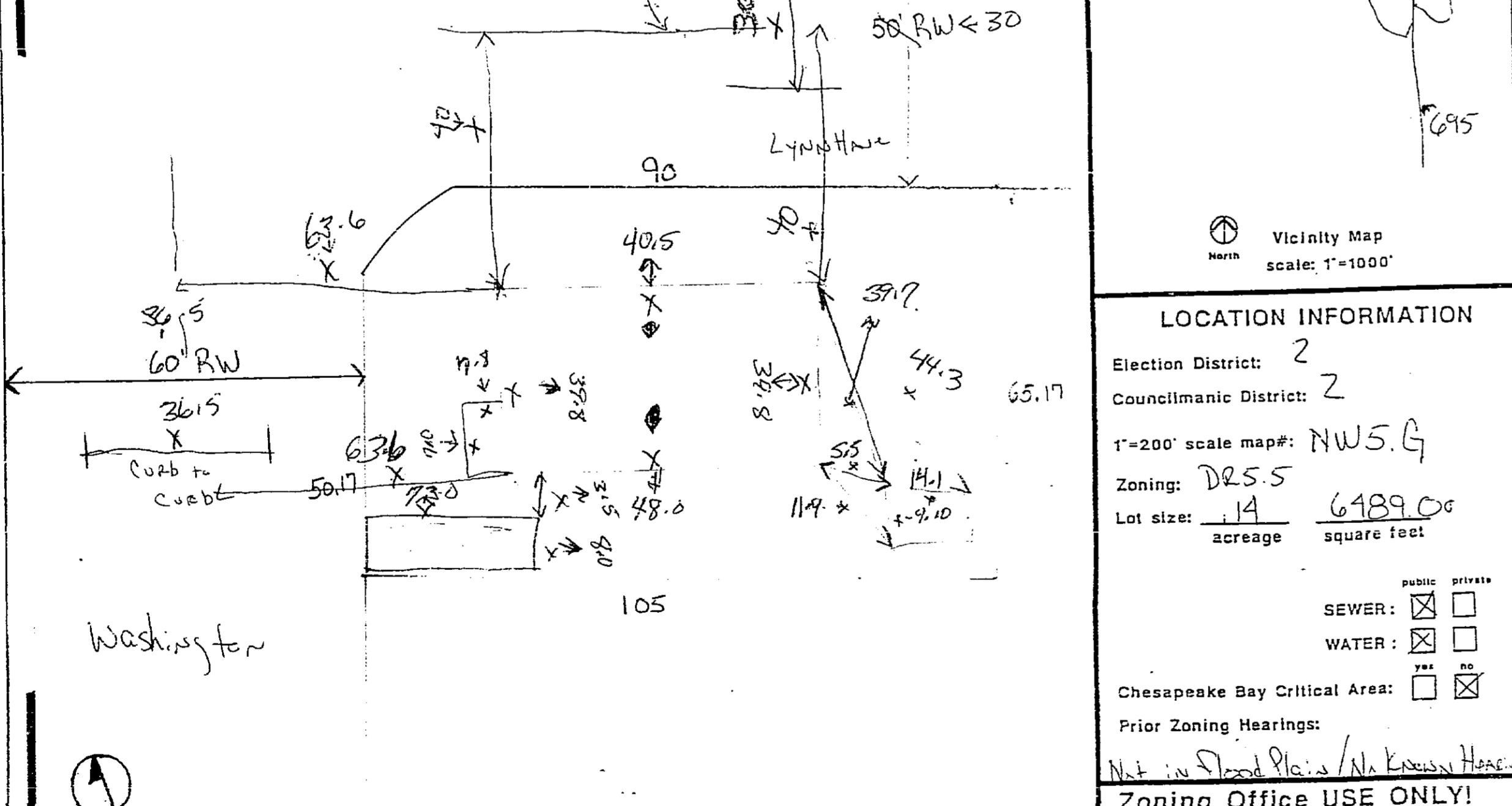
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Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_

CAM 108

Exhibit  
Not  
Variance  
Request

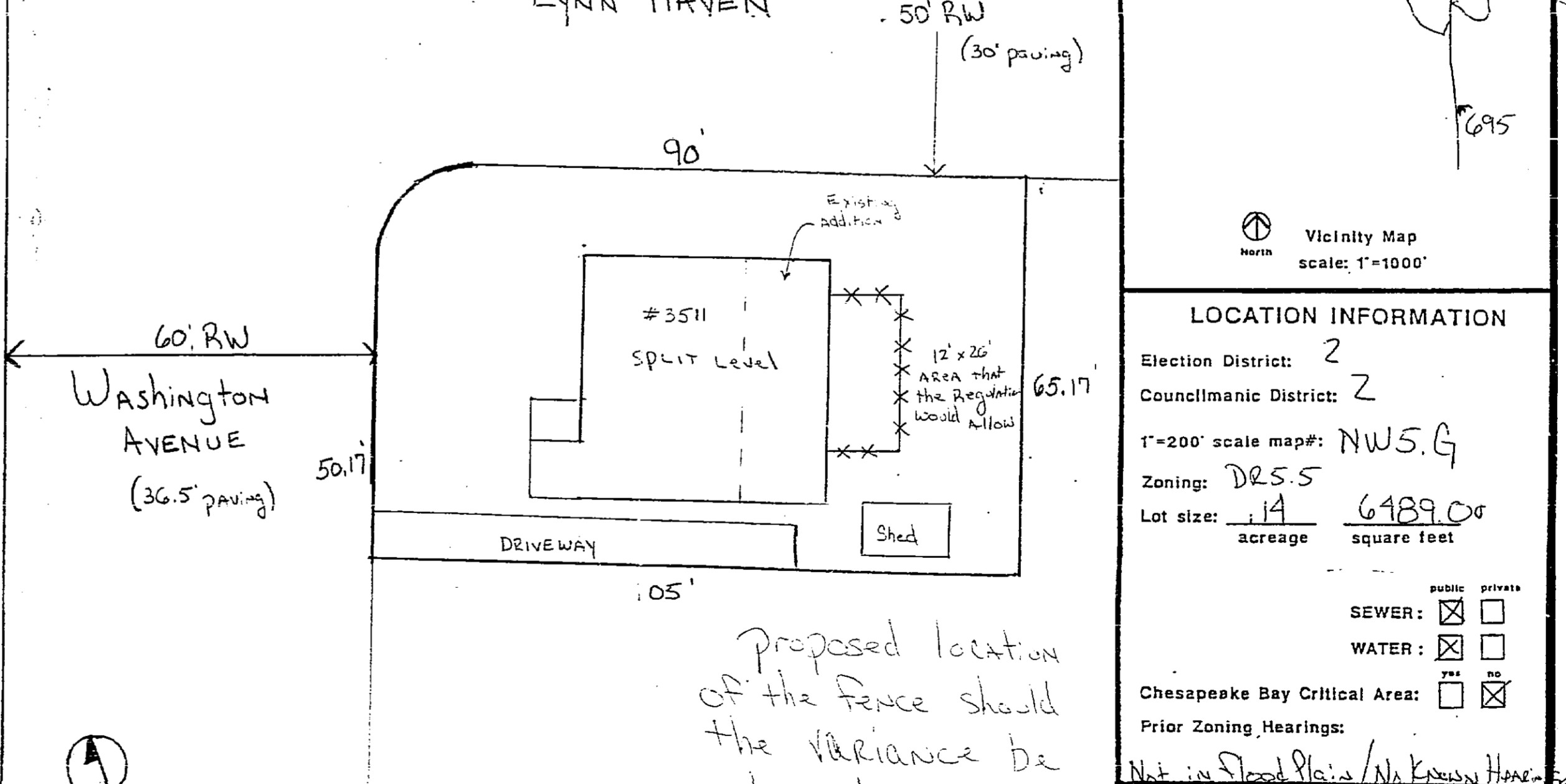
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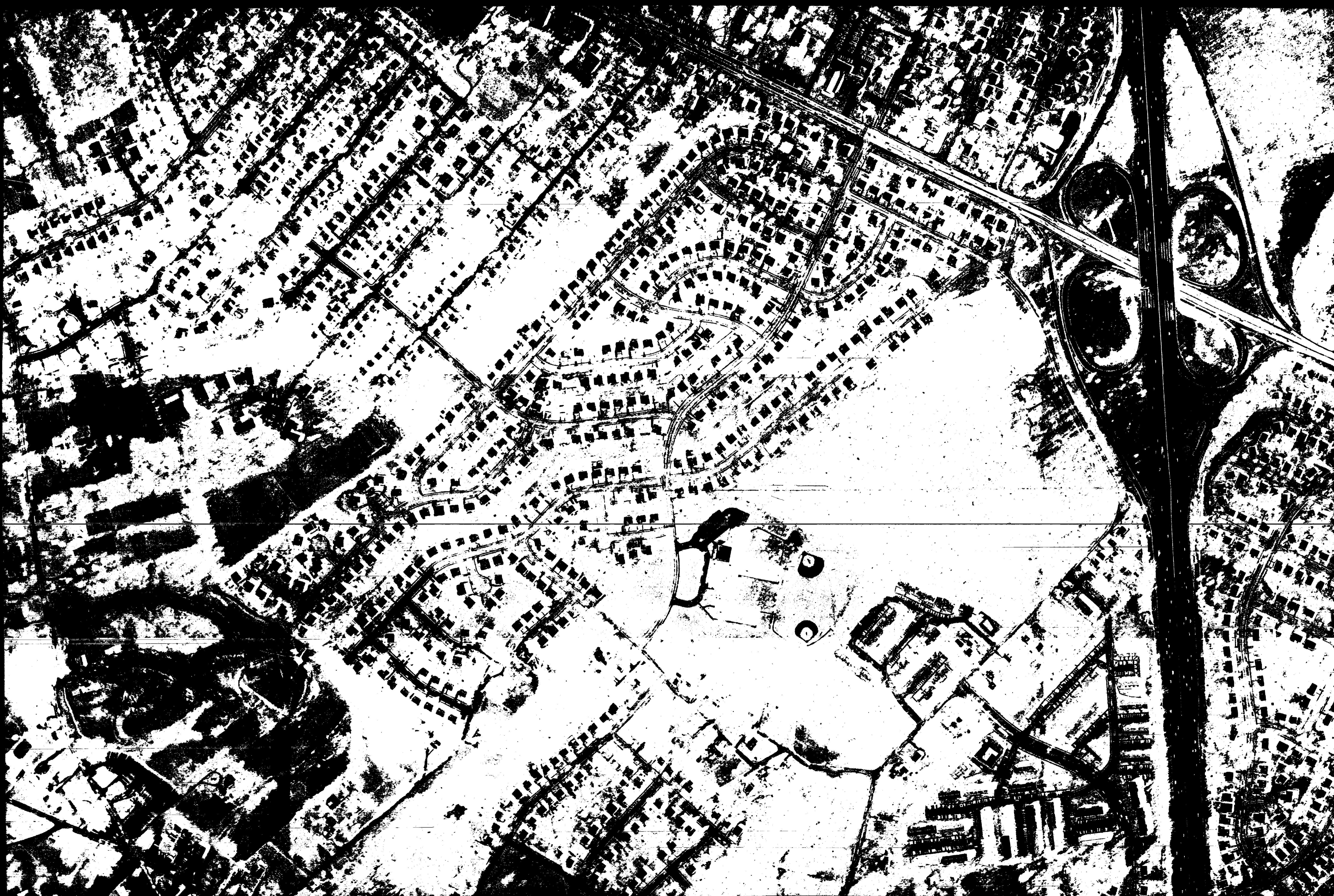
Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_

CAM

108

information submitted by the petitioner, from which the site plan was drawn



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
HEBBVILLE  
ROCKDALE  
WOODMOOR

SHEET  
N.W.  
5-6

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

MARTINSBURG, W.V.